

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

TEGRE MATLOCK,

Plaintiff

Case No. 2:20-cv-02024-RFB-VCF

ORDER

v.

CLARK COUNTY DETENTION CENTER,
et al.

Defendants

I. DISCUSSION

On November 4, 2020, this Court ordered Plaintiff to file a fully complete application to proceed *in forma pauperis* or pay the full \$400 filing fee for a civil action on or before January 4, 2021. (ECF No. 3 at 2). On December 31, 2020, Plaintiff filed a motion for an extension of time requesting an additional 90 days to file a fully complete application to proceed *in forma pauperis* because he had not yet received his financial certificate from the NDOC. (ECF No. 5 at 2).

The Court grants Plaintiff's motion for an extension of time (ECF No. 5) in part. Plaintiff shall be provided an additional 60 days to file a fully complete application to proceed *in forma pauperis* or pay the full \$400 filing fee on or before **March 8, 2021**. The Court will not grant any further extensions of time.

To apply for *in forma pauperis* status, Plaintiff must submit all three of the following documents to the Court:

(1) a completed **Application to Proceed in Forma Pauperis for Inmate**, this Court's approved form (i.e. pages 1 through 3 with the inmate's two signatures on page 3),

(2) a **Financial Certificate** properly signed by both the inmate and a prison or jail official (i.e. page 4 of this Court's approved form), and

(3) a copy of the **inmate's prison or jail trust fund account statement for the previous six-month period**.

1 If Plaintiff is unable to file a fully complete application to proceed *in forma pauperis*
 2 with all three required documents or pay the full \$400 filing fee on or before **March 8,**
 3 **2021**, this case will be subject to dismissal without prejudice for Plaintiff to file a new case
 4 with the Court when Plaintiff is either able to acquire all three of the documents needed
 5 to file a fully complete application to proceed *in forma pauperis* or pays the full \$400 filing
 6 fee.

7 A dismissal without prejudice means Plaintiff does not give up the right to refile the
 8 case with the Court, under a new case number, when Plaintiff has all three documents
 9 needed to submit with an application to proceed *in forma pauperis*. Alternatively, Plaintiff
 10 may choose not to file an application to proceed *in forma pauperis* and instead pay the
 11 full filing fee of \$400 on or before **March 8, 2021** to proceed with this case.

12 The Court will retain Plaintiff's civil rights complaint (ECF No. 1-1), but the Court
 13 will not file the complaint unless and until Plaintiff timely files a fully complete application
 14 to proceed *in forma pauperis* with all three documents or pays the full \$400 filing fee.

15 **II. CONCLUSION**

16 For the foregoing reasons, IT IS ORDERED that Plaintiff's motion for extension of
 17 time (ECF No. 5) is granted in part.

18 IT IS FURTHER ORDERED that the Clerk of the Court will send Plaintiff the
 19 approved form application to proceed *in forma pauperis* by an inmate, as well as the
 20 document entitled information and instructions for filing an *in forma pauperis* application.

21 IT IS FURTHER ORDERED that on or before **March 8, 2021**, Plaintiff will either
 22 pay the full \$400 filing fee for a civil action (which includes the \$350 filing fee and the \$50
 23 administrative fee) or file with the Court:

24 (1) a completed **Application to Proceed in Forma Pauperis for Inmate** on this
 25 Court's approved form (i.e. pages 1 through 3 of the form with the inmate's two
 26 signatures on page 3),

27 (2) a **Financial Certificate** properly signed by both the inmate and a prison or jail
 28 official (i.e. page 4 of this Court's approved form), and

1 (3) a copy of the **inmate's prison or jail trust fund account statement for the**
2 **previous six-month period.**

3 IT IS FURTHER ORDERED that, if Plaintiff does not file a fully complete
4 application to proceed *in forma pauperis* with all three documents or pay the full \$400
5 filing fee for a civil action on or before **March 8, 2021**, this case will be subject to dismissal
6 without prejudice for Plaintiff to refile the case with the Court, under a new case number,
7 when Plaintiff has all three documents needed to file a complete application to proceed
8 *in forma pauperis* or pays the full \$400 filing fee.

9 IT IS FURTHER ORDERED that the Clerk of the Court will retain Plaintiff's
10 complaint (ECF No.1-1) but will not file it at this time.

11 DATED: 1-6-2021



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13 UNITED STATES MAGISTRATE JUDGE
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